

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF OHIO
EASTERN DIVISION**

Christopher R. Gonzales,	:	Case No. 3:06CV3021
	:	
Petitioner	:	Judge Peter Economus
	:	
v.	:	Magistrate Judge David S. Perelman
	:	
Ernie Moore, Warden,	:	MEMORANDUM OPINION
	:	AND ORDER
Respondent	:	

On May 31, 2007 this Court granted petitioner a stay of this action to permit him to exhaust the state remedy of seeking leave to file a delayed direct appeal. That (badly worded) order provided that petitioner was to notify this Court of the ruling upon such a motion within thirty days of a determination by the state court.

To date this Court has heard nothing further. Considering that nearly six months have passed since the stay was entered this Court would normally expect that the state appellate court would have passed upon (and in all probability denied) a motion for leave to file a delayed appeal.

This being so, petitioner is directed to notify this Court within twenty days of entry of this Order as to the status of any state court proceeding he initiated. In the event that he fails to do so this Court will dissolve the stay and restore the action to active status.

IT IS SO ORDERED

s/DAVID S. PERELMAN
United States Magistrate Judge

DATE: November 28, 2007